

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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BRITTON DUANE MCKENZIE ,

Plaintiff,

v.

PAUL MILBRATH, et al.

Defendants.

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ORDER

Case No. 15-cv-116-bbc

Plaintiff Britton Duane McKenzie has filed a proposed civil complaint. Plaintiff has asked for leave to proceed *in forma pauperis* and has supported his request with an affidavit of indigency. The standard for determining whether plaintiff qualifies for indigent status is the following:

- From plaintiff's annual gross income, the court subtracts \$3,700 for each dependent excluding the plaintiff.
- If the balance is less than \$16,000, the plaintiff may proceed without any prepayment of fees and costs.
- If the balance is greater than \$16,000 but less than \$32,000, the plaintiff must prepay half the fees and costs.
- If the balance is greater than \$32,000, the plaintiff must prepay all fees and costs.
- Substantial assets or debts require individual consideration.

In this case, plaintiff has no dependents and is currently employed six hours a week at \$9.50 an hour. Plaintiff receives social security benefits of \$1,231 a month or \$14,772

annually. Plaintiff has no substantial assets. Accordingly, plaintiff may proceed without any prepayment of fees or costs.

ORDER

IT IS ORDERED that:

1. The motion filed by plaintiff Britton Duane McKenzie for leave to proceed without prepayment of fees (Dkt. # 2) is GRANTED.

2. No further action will be taken in this case until the court has screened the complaint pursuant to 28 U.S.C. § 1915 to determine whether the case must be dismissed because the complaint is frivolous or malicious, fails to state a claim on which relief may be granted or seeks monetary relief against a defendant who is immune from such relief. Once the screening process is complete, a separate order will issue.

Entered this 2nd day of March, 2015.

BY THE COURT:

/s/  
PETER OPPENEER  
Magistrate Judge